



UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/777,732 | 02/12/2004 | Brent Gilbert | 418268834US | 5621 |

| | | |
|------------------------|------|------------|
| 45979 | 7590 | 07/17/2007 |
| PERKINS COIE LLP/MSFT | | |
| P. O. BOX 1247 | | |
| SEATTLE, WA 98111-1247 | | |

| | |
|---------------|--|
| EXAMINER | |
| PYO, MONICA M | |

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2161 | |

| | |
|------------|---------------|
| MAIL DATE | DELIVERY MODE |
| 07/17/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,732

Applicant(s)

GILBERT ET AL.

Examiner

Monica M. Pyo

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/12/04 & 3/20/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Election/Restriction filed on 10/16/2006.
Applicant elected Group I, claims 1-7 and 15-20 and canceled Group II, claims 8-14. Therefore, Claims 1-7 and 15-20 are present for examination.
2. Claims 1-7 and 15-20 are rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 2/12/2004 & 3/20/2006 was filed and considered by the examiner.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, this claim recites the phrase "a request for the graphic" in line 7. Does this refer to the phrase "a graphic search request" from line 2? Or, does this refer to a new "request for the graphic"? Then, which one does the phrase "receiving the requested graphic" refers to? Clarification is required.

Claims specifically not mentioned above are also rejected by virtue of their dependency on a rejected claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,412,004 issued to Chen et al. (hereinafter Chen) in view of U.S. Patent No. 5,751,286 issued to Barber et al. (hereinafter Barber).

Regarding claims 1 and 15, Chen discloses a method for loading a graphic onto a computer comprising the steps of:

A). entering a search term associated with the graphic into the computer, as the client computer B requests for a multimedia stream Multimedia_X (Chen: col. 6, lns. 60-67);

B). directing communications between the computer and a selected one of a plurality of graphic libraries, as the metaserver selects the algorithm to select the list of multimedia servers (Chen: col. 7, lns. 1-4);

C). identifying the graphic in the selected graphic library based on the search term, as an identification of a particular multimedia content (Chen: col. 7, lns. 4-13);

D). communicating information associated with the graphic from the selected graphic library to the computer, as the metaserver selects a right multimedia server for a client computer (Chen: col. 2, lns. 61-63; col. 7, lns. 19-38 & 60-67);

Chen does not explicitly disclose:

- E). displaying the information at the computer;**
- F). selecting the graphic based on the information; and**
- G). responsive to selecting the graphic, loading the graphic onto the computer from the selected graphic library,**

However, Barber discloses:

E). displaying the information at the computer, as to illustrating the query result on the screen (Barber: col. 9, lns. 48-61; col. 11, lns. 36-44);

F). selecting the graphic based on the information, as to images of "BEARS" selected (Barber: col. 10, lns. 1-15); and

G). responsive to selecting the graphic, loading the graphic onto the computer from the selected graphic library, as to thumbnails being dragged and dropped in the image query window (Barber: col. 5, lns. 26-44).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen with the teachings of Barber to utilize the metadata of contents with the motivation to enhance an efficient means of searching for images in a database (Barber: col. 1, lns. 33-40).

Regarding claim 2, Chen and Barber disclose the method wherein the directing step comprises configuring software to communicate with one of a private graphic library on a local-area network and a public graphic library on a wide-area network (Chen: col. 9, lns. 29-45).

Regarding claim 3, Chen and Barber disclose the method wherein the directing step comprises writing an address for the selected graphic library into a configuration database associated with an operating system of the computer (Chen: col. 7, lns. 19-38).

Regarding claim 4, Chen and Barber disclose the method wherein the directing step further comprises changing a wide-area network address to a local-area network address in the event that the selected graphic library comprises a private graphic database on the local area network (Chen: col. 9, lns. 29-45) and (Barber: col. 9, lns. 26-34).

Regarding claim 5, Chen and Barber disclose the method wherein the information comprises metadata (Barber: col. 6, lns. 30-40).

Regarding claim 6, Chen and Barber disclose the method wherein the graphic library is located inside a firewall of an enterprise (Chen: col. 9, lns. 46-col. 10, lns. 10).

Regarding claim 7, Chen and Barber disclose the method wherein the selected graphic library is located at an intranet site, and wherein the identifying step comprises generating a document associated with the graphic and transmitting the document to an active server page of the intranet site (Chen: col. 10, lns. 32-48).

Regarding claim 18, Chen and Barber disclose the computer-readable medium further having a computer-executable instruction for performing the step of placing the received graphic on a drawing page (Barber: col. 3, lns. 51-56; col. 5, lns. 39-51).

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Barber as applied to claims 1-7, 15 and 18 above, further in view of U.S. Patent No. 6,658,598 issued to Sullivan (hereinafter Sullivan).

Regarding claim 16, Chen and Barber do not explicitly disclose the computer-readable medium wherein the pointing step further comprises setting a registry key.

However, Sullivan discloses:

the computer-readable medium wherein the pointing step further comprises setting a registry key (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen and Barber with the teachings of Sullivan to utilize the software registry key setting method with the motivation to enhance the technique to diagnose and address problems online (Sullivan: col. 1, lns. 31-43).

9. Claims 17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Barber as applied to claims 1-7, 15 and 18 above, further in view of U.S. Patent No. 7,167,920 issued to Traversat et al. (hereinafter Traversat).

Regarding claim 17, Chen and Barber disclose the computer-readable medium wherein the address comprises an active server page and wherein sending the graphic search request (Chen: col. 6, lns. 60-67; col. 7, lns. 19-38).

Chen and Barber does not explicitly disclose:

search request comprises sending an extensible markup language document to the active server page.

However, Traversat discloses:

search request comprises sending an extensible markup language document to the active server page (Traversat: col. 12, lns. 46-col. 13, lns. 3).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen and Barber with the teachings of Traversat to utilize extensible markup language document with the motivation to enhances the searching and retrieving electronic information for users to find (Traversat: col. 2, lns. 4-12).

Regarding claim 19, Chen and Barber and Traversat disclose the computer-readable medium further having a computer-executable instruction for performing the step of receiving a uniform resource locator of the requested graphic, wherein receiving the requested graphic comprises downloading the requested graphic according to the uniform resource locator (Barber: col. 5, lns. 26-44) and (Traversat: col. 22, lns. 1-8).

Regarding claim 20, Chen and Barber and Traversat disclose the computer-readable medium wherein the enterprise network is a private network, and wherein the uniform resource

Art Unit: 2161

locator locates the graphic on a server in the private network (Chen: col. 9, lns. 29-45) and (Traversat: col. 22, lns. 1-8).

Conclusion

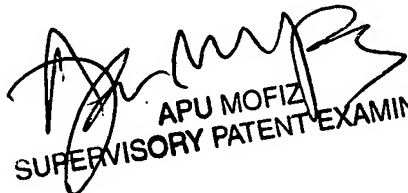
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon & Thur 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

mpyo
7/6/2007


APU MOFIZ
SUPERVISORY PATENT EXAMINER